

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1173 be amended to read as follows:

- 1 Page 1, after line 11, begin a new paragraph and insert:
- 2 "SECTION 2. IC 32-27-2-8 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) In selling a
- 4 completed new home, and in contracting to sell a new home to be
- 5 completed, the builder may warrant to the initial home buyer the
- 6 following:
- 7 (1) During the two (2) year period beginning on the warranty date,
- 8 the new home will be free from defects caused by faulty
- 9 workmanship or defective materials.
- 10 (2) During the two (2) year period beginning on the warranty date,
- 11 the new home will be free from defects caused by faulty
- 12 installation of:
- 13 (A) plumbing;
- 14 (B) electrical;
- 15 (C) heating;
- 16 (D) cooling; or
- 17 (E) ventilating;
- 18 systems, exclusive of fixtures, appliances, or items of equipment.
- 19 (3) During the four (4) year period beginning on the warranty
- 20 date, the new home will be free from defects caused by faulty
- 21 workmanship or defective materials in the roof or roof systems of
- 22 the new home.
- 23 (4) During the ten (10) year period beginning on the warranty
- 24 date, the new home will be free from major structural defects.
- 25 (b) The warranties provided in this section (or IC 34-4-20.5-8 or

1 IC 32-15-7 before their repeal) survive the passing of legal or equitable  
2 title in the new home to a home buyer.

3 **(c) An individual identified in section 7(1), 7(2), or 7(3) of this**  
4 **chapter who is selling a new home shall notify the purchaser of the**  
5 **home in writing on or before the date of closing or transfer of the**  
6 **new home of:**

7 **(1) the warranty date (as defined in IC 32-27-2-7); and**

8 **(2) the amount of time remaining under the warranty."**

(Reference is to HB 1173 as printed February 22, 2005.)

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Representative Kuzman